

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Kiehl	Docket No.:	2003 P 52361 US
Serial No.:	10/674,859	Art Unit:	2611
Filed:	September 30, 2003	Examiner:	Khai Tran
For:	Data Transmission System with Reduced Power Consumption		

Mail Stop 16  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

## REQUEST FOR REFUND UNDER 37 CFR § 1.26

Dear Sir:

Applicant paid a fee of \$450.00 for a two-month extension of time in connection with the Election filed on March 6, 2007. This fee was paid in excess of the fees required when the Election was filed. Pursuant to 37 C.F.R. § 1.26, Applicant respectfully requests that this \$450.00 fee be refunded to Deposit Account No. 50-1065.

The Facts associated with the payment of this fee are as follows:

1. On December 8, 2006, a first Office Action was mailed from the USPTO to Applicant's Attorney at Slater & Matsil LLP, 17950 Preston Road, Suite 1000, Dallas, TX 75252. This is Applicant's Attorneys' correct address. The Office Action required that Applicant elect claims for further examination. Applicant was instructed to respond within one month, which would have been on or by January 8, 2007. (The Office Action is attached as Exhibit A.)

2. On December 12, 2006, the December 8, 2006 Office Action was returned to the USPTO as "undelivered." (The returned Office Action with USPTO date stamp is attached as Exhibit B.)
3. On March 5, 2007, Applicant's attorney learned of the undelivered Office Action during a review of the application's status via PAIR. At this time, the original deadline for Applicant's response to the restriction requirement was past, and the response was more than one month overdue. (The PAIR Image File Wrapper index is attached as Exhibit C.)
4. On March 6, 2007, Applicant filed a Response to the Office Action in the form of an Election. Applicant also filed a Petition for a Two (2) Month Extension of Time in order to ensure the Election was accepted after the original deadline of January 8, 2007. (The Election and corresponding Petition are attached as Exhibit D.)
5. On March 7, 2007, Applicant's Deposit Account No. 50-1065 was charged for the \$450.00 petition fee. (Applicant's Attorneys' deposit account statement (redacted) is attached as Exhibit E).

REMARKS:

The need to request a two-month extension of time when responding to the December 8, 2006 Office Action resulted from that Office Action being returned undelivered to the USPTO. Therefore, the response was delayed through no fault of Applicant. Under 37 C.F.R. § 1.26(a) the Director may refund any fee paid by mistake or in excess of that required. Applicant respectfully submits that the two-month extension of time fee was paid in excess of what was required and requests that the \$450.00 fee be refunded to Deposit Account No. 50-1065.

If the Office should have any questions, it is requested that Applicant's attorney be contacted at the telephone number below.

Respectfully submitted,

July 2, 2007  
Date

SLATER & MATSIL, L.L.P.  
17950 Preston Rd., Suite 1000  
Dallas, Texas 75252  
Tel.: 972-732-1001  
Fax: 972-732-9218

/Michael J. Fogarty, III/  
Michael J. Fogarty, III  
Attorney for Applicant  
Reg. No. 42,541

# **EXHIBIT A**



# UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/674,859	09/30/2003	Oliver Kiehl	2003 P 52361 US	6303

48154 7590 12/08/2006

SLATER & MATSIL LLP  
17950 PRESTON ROAD  
SUITE 1000  
DALLAS, TX 75252

EXAMINER

TRAN, KHAI

ART UNIT	PAPER NUMBER
----------	--------------

2611

DATE MAILED: 12/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/674,859

Applicant(s)

KIEHL, OLIVER

Examiner

KHAI TRAN

Art Unit

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE one MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☒ Claim(s) 1-23 are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>3 Sheets</u> | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Election/Restrictions***

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:

I. Claims 1-6, drawn to a method for minimizing the number of appearances of a given state in a code word generated from data word, classified in class 375, subclass 239.

II. Claims 7-20, and 21-23, drawn to a transmission system, classified in class 375, subclass 259.

2. The inventions are distinct, each from the other because:

Inventions I, and II are unrelated. Inventions are unrelated if it can be shown that they are not disclosed as capable of use together and they have different modes of operation, different functions, or different effects (MPEP § 806.04, MPEP § 808.01). In the instant case the different inventions are claims 1-6 drawn to a method for minimizing the number of appearances of a given state in a code word generated from data word; claims 7-20, and 21-23 drawn to a transmission system.

3. Because these inventions are distinct for the reasons given above and have required a separate status in the art as shown by their different classification and by their recognized divergent subject matter, restriction for examination purposes as indicated is proper.

4. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).
5. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a petition under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(l).


### ***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to KHAI TRAN whose telephone number is (571) 272-3019. The examiner can normally be reached on 7:00AM - 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JAY PATEL can be reached on (571) 272-2988. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
KHAI TRAN  
Primary Examiner  
Art Unit 2611

**KT**  
December 6, 2006

# **EXHIBIT B**



# UNITED STATES PATENT AND TRADEMARK OFFICE

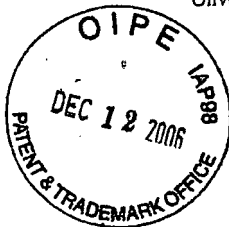
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EXAMINER

TRAN, KHAI

ART UNIT PAPER NUMBER

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<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/674,859	KIEHL, OLIVER	
	<b>Examiner</b>	<b>Art Unit</b>	
	KHAI TRAN	2611	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

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Art Unit: 2611

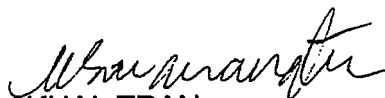
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KHAI TRAN  
Primary Examiner  
Art Unit 2611

**KT**  
December 6, 2006

# **EXHIBIT C**





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10/674,859 Data transmission system with reduced power consumption

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This application is officially maintained in electronic form. To View: Click the desired Document Description. To Download and Print: Check the desired document(s) and click Start Download.

## Available Documents

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04-03-2007	<a href="#">Non-Final Rejection</a>	PROSECUTION	6	<input type="checkbox"/>	<input type="checkbox"/>	
04-03-2007	<a href="#">List of references cited by examiner</a>	PROSECUTION	1	<input type="checkbox"/>	<input type="checkbox"/>	
04-03-2007	<a href="#">Bibliographic Data Sheet</a>	PROSECUTION	1	<input type="checkbox"/>	<input type="checkbox"/>	
04-03-2007	<a href="#">Index of Claims</a>	PROSECUTION	1	<input type="checkbox"/>	<input type="checkbox"/>	
04-03-2007	<a href="#">Search information including classification, databases and other search related notes</a>	PROSECUTION	1	<input type="checkbox"/>	<input type="checkbox"/>	
03-27-2007	<a href="#">Examiner's search strategy and results</a>	PROSECUTION	2	<input type="checkbox"/>	<input type="checkbox"/>	
03-06-2007	<a href="#">Response to Election / Restriction Filed</a>	PROSECUTION	1	<input type="checkbox"/>	<input type="checkbox"/>	
03-06-2007	<a href="#">Miscellaneous Incoming Letter</a>	PROSECUTION	1	<input type="checkbox"/>	<input type="checkbox"/>	
03-06-2007	<a href="#">Extension of Time</a>	PROSECUTION	1	<input type="checkbox"/>	<input type="checkbox"/>	
12-08-2006	<a href="#">Requirement for Restriction/Election</a>	PROSECUTION	5	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12-08-2006	<a href="#">List of References cited by applicant and considered by examiner</a>	PROSECUTION	3	<input type="checkbox"/>	<input type="checkbox"/>	
12-08-2006	<a href="#">List of References cited by applicant and considered by examiner</a>	PRIOR ART	3	<input type="checkbox"/>	<input type="checkbox"/>	
12-08-2006	<a href="#">Index of Claims</a>	PROSECUTION	1	<input type="checkbox"/>	<input type="checkbox"/>	
12-08-2006	<a href="#">Bibliographic Data Sheet</a>	PROSECUTION	1	<input type="checkbox"/>	<input type="checkbox"/>	
12-08-2006	<a href="#">Mail returned to USPTO as undelivered</a>	PROSECUTION	9	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
02-25-2005	<a href="#">Notice of Change of Address placed in File Wrapper due to EBC Customer Number update</a>	PROSECUTION	1	<input type="checkbox"/>	<input type="checkbox"/>	
02-07-2005	<a href="#">Fee Worksheet (PTO-06)</a>	PROSECUTION	1	<input type="checkbox"/>	<input type="checkbox"/>	
01-07-2005	<a href="#">Information Disclosure Statement (IDS) Filed</a>	PROSECUTION	4	<input type="checkbox"/>	<input type="checkbox"/>	
01-07-2005	<a href="#">Foreign Reference</a>	PRIOR ART	8	<input type="checkbox"/>	<input type="checkbox"/>	
01-07-2005	<a href="#">NPL Documents</a>	PRIOR ART	10	<input type="checkbox"/>	<input type="checkbox"/>	
01-07-2005	<a href="#">NPL Documents</a>	PRIOR ART	4	<input type="checkbox"/>	<input type="checkbox"/>	
09-30-2003	<a href="#">Transmittal of New Application</a>	PROSECUTION	3	<input type="checkbox"/>	<input type="checkbox"/>	
09-30-2003	<a href="#">Authorization for Extension of Time all replies</a>	PROSECUTION	3	<input type="checkbox"/>	<input type="checkbox"/>	
09-30-2003	<a href="#">Specification</a>	PROSECUTION	16	<input type="checkbox"/>	<input type="checkbox"/>	
09-30-2003	<a href="#">Claims</a>	PROSECUTION	6	<input type="checkbox"/>	<input type="checkbox"/>	
09-30-2003	<a href="#">Abstract</a>	PROSECUTION	1	<input type="checkbox"/>	<input type="checkbox"/>	
09-30-2003	<a href="#">Drawings</a>	PROSECUTION	8	<input type="checkbox"/>	<input type="checkbox"/>	

09-30-2003	<a href="#">Oath or Declaration filed</a>	PROSECUTION	3	┐
09-30-2003	<a href="#">Information Disclosure Statement (IDS) Filed</a>	PROSECUTION	2	┐
09-30-2003	<a href="#">NPL Documents</a>	PRIOR ART	28	┐
09-30-2003	<a href="#">Fee Worksheet (PTO-06)</a>	PROSECUTION	1	┐
09-30-2003	<a href="#">Fee Worksheet (PTO-06)</a>	PROSECUTION	1	┐

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- Send general questions about USPTO programs to the [USPTO Contact Center \(UCC\)](#).
- If you experience technical difficulties or problems with this application, please report them via e-mail to [Electronic Business Support](#) or call 1 800-786-9199.

You can suggest USPTO webpages or material you would like featured on this section by E-mail to the [webmaster@uspto.gov](mailto:webmaster@uspto.gov). While we cannot promise to accommodate all requests, your suggestions will be considered and may lead to other improvements on the website.

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# **EXHIBIT D**



17950 Preston Road | Suite 1000 | Dallas, TX 75252

(972) 732-1001

(972) 732-9218 FAX

www.slater-matsil.com

### FACSIMILE COVER SHEET

To: Commissioner for Patents	Total Pages Sent: 4
Technology Center 2600	(including cover sheet)
Facsimile Number: (571) 273-8300	Transmission Date: March 6, 2007

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Kiehl	Docket No.:	2003 P 52361 US
Serial No:	10/674,859	Art Unit:	2611
Date Filed:	September 30, 2003	Examiner:	Khai Tran
Title:	Data Transmission System with Reduced Power Consumption		

### CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that the following papers are being transmitted by facsimile to the U.S. Patent and Trademark Office at (571) 273-8300 on the date shown above:

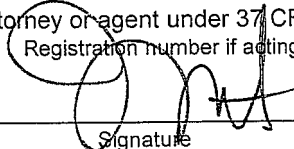
- Certification of Facsimile Transmission (1 page)
- Petition for Two (2) Month Extension of Time (2 duplicate pages)
- Election (1 page)

Respectfully submitted,

Nancy Milinkovich  
Legal Assistant

**Confirmation Respectfully Requested**

This facsimile is intended only for the use of the address named and contains legally privileged and/or confidential information. If you are not the intended recipient of this telecopy, you are hereby notified that any dissemination, distribution, copying or use of this communication is strictly prohibited. Applicable privileges are not waived by virtue of the document having been transmitted by Facsimile. Any misdirected facsimiles should be returned to the sender by mail at the address indicated on this cover sheet.

<b>PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)</b> <b>FY 2005</b> <i>(Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).)</i>		Docket Number (Optional) <b>2003 P 52361 US</b>	
Application Number <b>10/674,859</b>		Filed <b>September 30, 2003</b>	
For <b>Data Transmission System with Reduced Power Consumption</b>			
Art Unit <b>2611</b>		Examiner <b>Khai Tran</b>	
This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.			
The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):			
	<u>Fee</u>	<u>Small Entity Fee</u>	
<input type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$ 120	\$ 60	\$ _____
<input checked="" type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$ 450	\$ 225	\$ <u>\$450.00</u>
<input type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$ 1,020	\$ 510	\$ _____
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$ 1,590	\$ 795	\$ _____
<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$ 2,160	\$ 1,080	\$ _____
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.			
<input type="checkbox"/> A check in the amount of the fee is enclosed.			
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.			
<input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account.			
<input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number <u>50-1065</u> . I have enclosed a duplicate copy of this sheet.			
<b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.			
I am the <input type="checkbox"/> applicant/inventor.			
<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).			
<input checked="" type="checkbox"/> attorney or agent of record. Registration Number <u>35,272</u>			
<input type="checkbox"/> attorney or agent under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____			
 _____ Signature		<u>3/6/07</u> _____ Date	
<u>Ira S. Matsil</u> _____ Typed or printed name		<u>972-732-1001</u> _____ Telephone Number	
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.			
<input checked="" type="checkbox"/> Total of <u>1</u> forms are submitted.			

This collection of information is required by 37 CFR 1.136(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

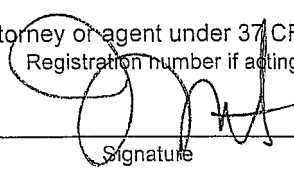
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<b>PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)</b> <b>FY 2005</b> <i>(Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).)</i>		Docket Number (Optional) <b>2003 P 52361 US</b>	
Application Number <b>10/674,859</b>		Filed <b>September 30, 2003</b>	
For <b>Data Transmission System with Reduced Power Consumption</b>			
Art Unit <b>2611</b>		Examiner <b>Khai Tran</b>	
This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.			
The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):			
	<u>Fee</u>	<u>Small Entity Fee</u>	
<input type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$ 120	\$ 60	\$ _____
<input checked="" type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$ 450	\$ 225	\$ <u>450.00</u>
<input type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$ 1,020	\$ 510	\$ _____
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$ 1,590	\$ 795	\$ _____
<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$ 2,160	\$ 1,080	\$ _____
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.			
<input type="checkbox"/> A check in the amount of the fee is enclosed.			
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.			
<input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account.			
<input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number <u>50-1065</u> . I have enclosed a duplicate copy of this sheet.			
<b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.			
I am the <input type="checkbox"/> applicant/inventor.			
<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).			
<input checked="" type="checkbox"/> attorney or agent of record. Registration Number <u>35,272</u>			
<input type="checkbox"/> attorney or agent under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____			
 _____ Signature		<u>3/6/07</u> _____ Date	
<u>Ira S. Matsil</u> _____ Typed or printed name		<u>972-732-1001</u> _____ Telephone Number	
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.			
<input checked="" type="checkbox"/> Total of <u>1</u> forms are submitted.			

This collection of information is required by 37 CFR 1.136(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kiehl  
Serial No.: 10/674,859  
Filed: September 30, 2003  
For: Data Transmission System with Reduced Power Consumption  
Docket No.: 2003 P 52361 US  
Art Unit: 2611  
Examiner: Khai Tran

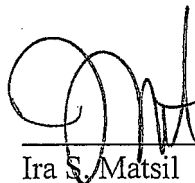
Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

ELECTION

Dear Sir:

In response to the restriction requirement set forth in the Office Action mailed on December 8, 2006, Applicant hereby elects Group II: Claims 7-23, for further prosecution in the above patent application.

Respectfully submitted,



Ira S. Matsil  
Attorney for Applicant  
Reg. No. 35,272

3/6/07  
Date

SLATER & MATSIL, L.L.P.  
17950 Preston Rd.  
Suite 1000  
Dallas, TX 75252-5793  
972-732-1001 - Tel  
972-732-9218 - Fax

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**Slater & Matsil, L.L.P.**  
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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kiehl	Docket No.: 2003 P 52361 US
Serial No: 10/674,859	Art Unit: 2611
Date Filed: September 30, 2003	Examiner: Khai Tran
Title: Data Transmission System with Reduced Power Consumption	

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- Petition for Two (2) Month Extension of Time (2 duplicate pages)
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Respectfully submitted,

Nancy Milinkovich  
Legal Assistant

Confirmation Respectfully Requested

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# **EXHIBIT E**



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**Deposit Account Statement**

<b>Requested Statement Month:</b>	March 2007
<b>Deposit Account Number:</b>	501065
<b>Name:</b>	SLATER & MATSIL, LLP
<b>Attention:</b>	IRA S MATSIL
<b>Address:</b>	17950 PRESTON RD
<b>City:</b>	DALLAS
<b>State:</b>	TX
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